

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 6:07-cr-60108-MC

v.

**STIPULATION AND ORDER TO
AMEND PREVIOUSLY-ENTERED
JUDGMENT**

JUSTIN DOUGLAS NASON,

Defendant.

This matter is before the Court on defendant's motion to vacate or correct his sentence pursuant to 28 U.S.C. § 2255. Based on the filings to date and the interests of justice in this particular case, the parties agree to resolve this matter, without precedential value in any other case, by entry of an amended judgment that:

- (1) deletes reference to the Armed Career Criminal Act and 18 U.S.C. § 924(e) on Count 1, and limits the description of defendant's conviction to felon in possession of a firearm in violation of 18 U.S.C. § 922(g);
- (2) reduces the term of imprisonment on Count 1 from 180 months to 120 months; and
- (3) reduces the term of supervised release from five years to three years.

The parties further agree that all other aspects of the original judgment and commitment order, including the conditions of supervised release, should remain the same.

The parties further agree that no amendment to the Statement of Reasons is necessary.

The parties believe defendant will be due for release upon entry of the amended judgment. The defendant has a re-entry plan in place that has been reviewed and approved by the United States Probation Office.

The defendant has consulted with counsel and agreed to waive his right to a re-sentencing hearing and allocution, and any right he may have to be present for the amendment of his sentence, and stipulates to the provisions above.

Based on the above, and the Court concurring,

IT IS HEREBY ORDERED that an amended judgment and commitment order shall be prepared and entered in accordance with the stipulation of the parties as detailed above.

IT IS FURTHER ORDERED, inasmuch as defendant has already served more than 120 months in custody for this offense and has a re-entry plan in place that has been reviewed and approved by the United States Probation Office, that defendant be released upon entry of this order.

Dated this 16 day of January, 2018.

HONORABLE MICHAEL J. McSHANE
UNITED STATES DISTRICT COURT JUDGE

Presented upon agreement of the parties by:

sl Elizabeth G. Daily
ELIZABETH G. DAILY
Assistant Federal Public Defender
Counsel for Defendant

BILLY J. WILLIAMS
United States Attorney

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FRANK R. PAPAGNI, JR.
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